

OFFICIAL COUNCIL PROCEEDINGS

A regular meeting of the City Council of the City of Menomonie, Dunn County, Wisconsin, was held in open session on June 2, 2014, and called to order by Mayor Knaack at 7:00 p.m. in the City Council Chambers. The following members were present: Luther, Traxler, Sutherland, Brice, Riedel, Schwebs, Brown, Solberg, Cruz, Erdman and Mercil.

MOTION was made by Cruz, seconded by Brice, and carried to approve the minutes of the May 19, 2014 special meeting and the May 19, 2014 regular meeting.

PUBLIC HEARING – Mayor Knaack announced time for the public hearing to rezone the property at 1518 Stout Road from Neighborhood Office (B-4) to Local Commercial (B-2) for a homeless shelter.

Lynn Dickmann and Tony Kern spoke in opposition to the proposed rezoning. Julie Bendel, Katherine Dutton, Michelle Hamilton, Georgina Tegart, Elizabeth Witt, Julie McNaughton, Jill Seichter, Leni Marshall, Jerry Lausted and Phil Steans spoke in support of the proposed rezoning. Heidi Hooten explained the standard practice that is in place when an incident occurs at the shelter.

PUBLIC COMMENTS – Bill Albright, representing Heartland Contractors – Whisper Ridge North, announced that he was available for questions relating to the proposed development agreement.

Joe Voorhees introduced himself and announced that he has submitted an offer to purchase The Den, described his renovation plans for the property and said that he was available for questions relating to his request to transfer the beer and liquor license.

ORDINANCE - MOTION to waive the first reading of the ordinance rezoning the property at 1518 Stout Road from Neighborhood Office District (B-4) to Local Commercial District (B-2) was made by Riedel, seconded by Mercil, and carried. MOTION to waive the second reading was made by Cruz, seconded by Brown, and carried.

MOTION to deny the rezoning of the property at 1518 Stout Road was made by Riedel, seconded by Brown, and lost on the following roll call vote: Ayes: Traxler, Sutherland, Riedel, Brown and Cruz. Noes: Luther, Brice, Schwebs, Solberg, Erdman and Mercil.

MOTION to approve the rezoning of the property at 1518 Stout Road was made by Mercil, seconded by Solberg, and carried on the following roll call vote: Ayes: Luther, Brice, Schwebs, Solberg, Erdman and Mercil. Noes: Traxler, Sutherland, Riedel, Brown and Cruz.

MOTION was made by Schwebs, seconded by Traxler, and carried on roll call vote with Brown opposed to approve the Whisper Ridge North Townhomes Development, Preliminary and Final Plat, Agreement for Improvements with Heartland Development of WI, Inc. (Whisper Ridge North), James Rooney.

MOTION was made by Solberg and seconded by Luther to keep the policy for placing items on the Council agenda, as amended on June 1, 1987.

MOTION to postpone action on the policy for placing items on the Council agenda, and request a committee be formed and have the Mayor bring back recommendations to the July 21, 2014 meeting (the committee shall include three Mayor appointed council members) was made by Riedel, seconded by Cruz, and carried on the following roll call vote: Ayes: Brice, Riedel, Brown, Cruz, Erdman and Mercil. Noes: Luther, Traxler, Sutherland, Schwebs and Solberg.

MOTION was made by Schwebs, seconded by Mercil, and carried unanimously on roll call vote to approve the proposed development agreement between Hidden Valley Commercial Properties,

LLC (Rock Eiden) and the City for the purchase of six acres of land in the North Industrial Park (located in TID #13) from the City for \$15,000 per acre.

Quotes were received for the adjustment of sanitary manholes along Domain Drive and Red Cedar Street as follows:

Haas Sons, Inc.	\$24,576.00
Lewis Bjork, LLC	\$25,680.00
Pember Companies	\$30,240.00
A-1 Excavating, Inc.	\$33,132.00
McCabe Construction	\$42,000.00

MOTION was made by Mercil, seconded by Traxler, and carried unanimously on roll call vote to accept the quote of \$24,576.00 from Haas Sons, Inc. for Domain Drive and Red Cedar Street sewer improvements contingent upon receipt of proof of insurance.

RESOLUTION NO. 16 was introduced and moved for adoption by Traxler, seconded by Solberg, and carried acknowledging review and approval of the Sewer Utility 2013 Compliance Maintenance Annual Report (CMAR).

COMMUNICATIONS – MOTION requesting the draft lake district resolution from the Friends of the Red Cedar Basin, Inc. be placed on the next City Council agenda for discussion and possible direction was made by Cruz, seconded by Mercil, and carried on the following roll call vote: Ayes: Traxler, Brice, Riedel, Schwebs, Brown, Solberg, Cruz, Erdman and Mercil. Noes: Luther and Sutherland.

The annual report from the Menomonie Public Library was included in the agenda packet.

CLAIMS - MOTION was made by Solberg, seconded by Erdman, and carried unanimously on roll call vote to approve payment of the following claims:

<u>Claims</u>	
Cedar Corporation	\$ 39,142.50
Classic Protective Coatings	176,315.25
Dueco Inc.	78,731.00
Eau Claire County Highway Dept.	1,219.79
First Supply	9,998.00
KLM Engineering	17,199.50
No Mercy Excavating	44,137.00
Stark’s Metal Works Inc.	30.00
<u>Parking Utility Claims</u>	
Clancy Systems Int’l.	\$ 1,050.00
Schofield, Higley & Mayer	52.50

LICENSES - MOTION was made by Schwebs, seconded by Sutherland, and carried to approve the following license list: **LICENSE YEAR (expires June 30, 2014)**

CIGARETTE: St. Croix Tobacco, Inc. (Smokedale – 2521 Hils Ct, Suite D), Hatem Younis, Agent, Subject to Submittal of the Wisconsin Seller’s Permit.

New applicant: Change of Ownership (effective 6-3-14)

CLASS “B” BEER & “CLASS B” LIQUOR:

MVP Management and Investment, LLC (The Den – 613 S. Broadway), Joseph M. Voorhees – Agent **SUBJECT TO FINAL INSPECTION; AGENT COMPLETION OF THE BARTENDER TRAINING COURSE; AND A COPY OF THE WISCONSIN SELLER’S PERMIT.**

If the above licenses are granted, the current licenses listed below will be surrendered by Thomas F. Morrow. A letter announcing the surrender was filed with the City Clerk on May 16, 2014.

Current license holder: CLASS “B” BEER & “CLASS B” LIQUOR, and CIGARETTE: Thomas F. Morrow (The Den – 613 S. Broadway).

The following Temporary Class “B” Beer license has been issued by the City Clerk, after review by the City Administrator and Mayor:

St. Joseph Parish, Sept. 20 - 21, 2014 (event = St. Joseph Fall Festival), 910 and 921 Wilson Avenue, Licensed area = Part outdoor parking area, gym; and Sept. 20th in church basement (Charles Hall) during dinner (see attached maps).

LICENSE YEAR - 2014 / 2015 (expires June 30, 2015)

CLASS “A” BEER:

Cedar Country Cooperative (Cenex East – 2021 Stout Rd);
Spare Investments III LLC (J’s Circle C – 2302 S. Broadway);
Kwik Trip, Inc. (Kwik Trip 498 – 1213 S. Broadway);
Kwik Trip, Inc. (Kwik Trip 674 – 6107 3M Dr.);
The Menomonie Food Co-op (Menomonie Market Food Co-op – 521 Second Street E.);
Northern Tier Retail LLC (SuperAmerica #4482 – 1708 N. Broadway);
Northern Tier Retail LLC (SuperAmerica #4483 – 1903 Stout Rd.);
Northern Tier Retail LLC (SuperAmerica #4484 – 2020 S. Broadway);
S/S/G Corporation (SSG Holiday - 1805 North Broadway).

CLASS “A” BEER & “CLASS A” LIQUOR:

Fallen Oaks of Menomonie, LLC (Junction Liquor - 2521 Hils Court, Suite L);
Teresa J. Kado (Kado Frame & Fine Arts - 712 N. Broadway);
Lammer’s Foods, Inc. (Lammer’s Food Fest – 1408 9th St);
Marketplace Foods Menomonie, Inc. (Marketplace Foods Menomonie - 207 Pine Avenue W.);
First Tee Mulligan, LLC (Riverside Liquor – 116 11th Ave. W.).

CLASS “B” BEER:

Acoustic Cafe II Inc. (Acoustic Cafe – 102 W. Main);
China Buffet Menomonie, Inc. (China Buffet - 2421 Hwy. 25 N., Suite 108);
Jeffs Pizza Shop, LLC (Jeffs Pizza Shop – 145 E. Main Street);
T J Food Service LLC (Perkin’s Restaurant & Bakery – 1720 N. Broadway);
G & P Pizza, Inc. (Ted’s Pizza Palace – 306 Main St).

CLASS “B” BEER & “CLASS B” LIQUOR:

Ambika Corporation (Econolodge Inn & Suites – 1815 North Broadway);
B.D.J. of Menomonie, Inc. (The Great Escape – 2909 Bongey Dr.) – Subject to Final Inspection;
Broadway Bowl of Menomonie, Inc. (Broadway Bowl – 1501 N. Broadway Ste. B);
Broz Tavern, LLC (Broz Tavern – 315 & 321 Main Street) – Subject to Final Inspection;
Cancun Mexican Grill of Menomonie, LLC (Cancun Mexican Grill – 1919 Stout Road);
R.G. Budinger, Inc. (Chippewa Valley Golf Club – 2200 Crestwood Dr.);
JMDavis, LLC (Waterfront Bar & Grill - 512 Crescent St.) – Subject to Final Inspection;
Judith A. Probst (Skoog’s Parkside – 932 N. Broadway);
Lakeside Bar, Inc. (Dean & Sue’s – 2002 Midway Road) – Subject to Final Inspection;
Lakeside Lounge, Inc. (Lakeside Lounge – 614 Main Street E.) – Subject to Final Inspection;
Log Jam, Inc. (Log Jam, Inc. – 709 South Broadway) – Subject to Final Inspection;
Loren Corp. (Rehab – 631 S. Broadway) – Subject to Final Inspection;
North Broadway Holdings, Inc. (Denny’s – 1827 N. Broadway);
RAAR LLC (Menomonie Golf & Country Club – 802 Heller Rd.);
Northfield Restaurant Corp. (Pizza Hut – 2307 Hwy 25 N.);
Olde Towne Menomonie, LLC (Olde Towne Menomonie, LLC – 903 Cedar Falls Road);
JMDavis, LLC (The Market – 545 S. Broadway) – Subject to Final Inspection;
Marcia E. Scholfield (The Pub - 516 South Broadway) – Subject to Final Inspection;
Multiple Mulligans, LLC (Shoe’s Pub – 1321 N. Broadway) – Subject to Final Inspection;
RJM Johnson, Incorporated (Zanzibar - 228 Main Street E.);
BlackOaks Restaurant LLC (Norske Kitchen – 1705 Plaza Drive);
The Abbey Pub LLC (The Abbey - 414 Main St. E.) – Subject to Final Inspection;
Tom & Jo’s, Inc. (Tom & Jo’s - 1401 Tainter Street) – Subject to Final Inspection;
Yort, Inc. (Kahootz – 336 Main Street) – Subject to Final Inspection.

CLASS “B” BEER & RESERVE “CLASS B” LIQUOR:

Apple Minnesota LLC (Applebee’s Neighborhood Grill & Bar – 2303 State Hwy. 25 North);
Red Cedar Brewing LLC (Das Bierhaus – 120 6th Ave. W.);
Mr Wine, LLC (Barrel Room – 320 Main St.) Subject to Final Inspection and Submittal of the Wisconsin Seller’s Permit.

CABARET:

Ambika Corporation (Econolodge Inn & Suites);
B.D.J. of Menomonie, Inc. (The Great Escape);
Broz Tavern, LLC (Broz Tavern);
Cancun Mexican Grill of Menomonie, LLC (Cancun Mexican Grill);
JMDavis, LLC (Waterfront Bar & Grill);
Lakeside Bar, Inc. (Dean & Sue's);
Log Jam, Inc. (Log Jam, Inc.);
Loren Corp. (Rehab);
Multiple Mulligans, LLC (Shoe's Pub);
Olde Towne Menomonie, LLC (Olde Towne Menomonie, LLC);
WMJ, Inc. (Flame Lounge);
Yort, Inc (Kahootz).

CIGARETTE:

Amwest, Inc. (Bob & Steves BP Amoco Shop 2 – 1501 9th Street);
BFR, LLC (Discount Smokes – Menomonie – 1214 N. Broadway);
Cedar Country Cooperative (Cenex East – 2021 Stout Rd);
Cedar Country Cooperative (Cenex South– 1103 South Broadway);
Cedar Country Cooperative (Cenex North – 2320 Hwy 25 North);
Cedar Country Cooperative (Exit 45 – 2100 County Road B);
Fallen Oaks of Menomonie, LLC (Junction Liquor - 2521 Hils Court, Suite L);
First Tee Mulligan, LLC (Riverside Liquor – 116 11th Ave. W.);
JMDavis, LLC (The Market– 545 S. Broadway);
Kwik Trip, Inc. (Kwik Trip 498 – 1213 S. Broadway);
Kwik Trip, Inc. (Kwik Trip 674 – 6107 3M Dr.);
Lammer's Foods, Inc. (Lammer's Food Fest – 1408 9th St);
Marketplace Foods Menomonie, Inc. (Marketplace Foods Menomonie - 207 Pine Avenue W.);
Northern Tier Retail LLC (SuperAmerica #4482 – 1708 N. Broadway);
Northern Tier Retail LLC (SuperAmerica #4483 – 1903 Stout Rd);
Northern Tier Retail LLC (SuperAmerica #4484 – 2020 S. Broadway);
Spare Investments III LLC (J's Circle C – 2302 S. Broadway);
S/S/G Corporation (SSG Holiday- 1805 North Broadway);
The Abbey Pub LLC (The Abbey - 414 Main St. E.);
Walgreen Co. (Walgreens #09514 – 121 Pine Ave. W).

MASSAGE THERAPY FACILITY:

Leissa's Hair Studio and Day Spa, Inc. (Leissa Berenschot & Barbara Olson), 226 Main St.;
Red Cedar Chiropractic, LLC (Clint Moses), 1415 North Broadway St – Subject to Certificate of Insurance.

MOBILE HOME PARK: Laurel E. Hague (Wilson Mobile Estates, 3003 and 3014 Wilson St.).

OPERATORS: Marilla M. Benson; Justin A. Bream; Debby L. Bright; Robert M. Bourget; Bonni D. Bukkila; Chun M. Chen; Sophia L. Cleveland; Carolyn J. Cleven-Anderson; Lindsey K. Domagala; Brandon V. Edden; David J. Faulhaber; Sydne R. Flatland; Gregory J. Fox; Cynthia Franco-Castro; Joan M. Friedenfels; Nelson A. Gergen; Benjamin S. Gorecki; Kevin A. Gruetzmacher; Bin W. Guo; Steve J. Halvorson; Krystal L. Harnisch; Astrid L. Hayden; Courtney N. Hendrickson; Kristina M. Hodge; Ignacio Infante; Sandra J. Jack; Paul A. Jacobson; Travis A. Johnson; Robert E. Jones; Chelsea A. Kensinger; Cole E. Kettenacker; Holly J. Kivioja; Katrina M. Knaack; Jordan P. Knutson; Jonathan D. Koch; Allison M. Kruse; Brook S. LaPean; Robyn R. Larson; Erin L. Lawrence; Dean S. Lecheler; Susan M. Lecheler; Roger M. Link; Rebecca S. Loomis; Daniel K. Louis; Stacy R. Luer; Holly R. Malaszuk; Jennifer A. McMartin; Deanna L. Metcalf; Alexis R. Meyer; Audun B. Mikkelsen; Lisa R. Moe; Hannah R. Mooney; Brenda L. Morlan; Julie A. Myhre; Sara S. Neubauer; Rebecca C. Pahl; Amy J. Parish; Rochelle D. Pechmiller; Jeffrey W. Pember; Carly V. Pieters; Clare E. Reusch; Cynthia L. Rentmeester; Rachel L. Sabatke; Jessica M. Scherr; Nicole L. Schmidt; Mary M. Schneider; Erin M. Schoenick; Jenna L. Severson; Gail A. Skamfer; Shelby A. Skillings; Tianna L. Smetana; Kimberly J. Smith; Jennifer L. Suckow; Cherly L. Tibbitts; Beth A. Topper; Chad R. Torkelson; Allison M. Van Heuklom; Alan C. Volk, Jr.; Kathryn E. Wasson; Alexandra N. Wendt; Dylan M. Zdroik; Wesley H. Ziebell.

SOLID WASTE COLLECTION:

Advanced Disposal Services Solid Waste Midwest LLC (Advanced Disposal);
ProVyro Waste Services, LLC; David N. Waterman (Waterman Sanitation).

Supplemental License List – Added 6-2-14

CLASS “A” BEER & CIGARETTE:

Wal-Mart Stores East, LP (Wal-Mart Supercenter #1819 – 180 Cedar Falls Road).

TRADE NAME CHANGE (effective June 3, 2014):

Former name: Wal-Mart Supercenter #1819
New trade name: Wal-Mart #1819

LICENSE YEAR - 2014 / 2015 (expires June 30, 2015)

CLASS “B” BEER:

Cedar Country Cooperative (Exit 45 Restaurant & Bakery – 2100 County Road B).

CLASS “B” BEER & “CLASS C” WINE:

D J Fedderly Management Consultant LLC (The Raw Deal – 603 S. Broadway).

CLASS “B” BEER & RESERVE “CLASS B” LIQUOR and CABARET:

Stout Ale House of Menomonie, Inc. (Stout Ale House - 1501 N. Broadway, Suite A) Subject to Final Inspection.

MASSAGE THERAPY FACILITY:

Jill’s My Style Studio LLC (Jill Williams), 125 Main St. E. - Subject to Certificate of Insurance;
Time for You Massage & Bodywork, LLC (Linda M. Stark), 390 Red Cedar Street;
Menomonie Health & Natural Wellness, LLC (Mary Beth Lvoncek), 201 14th Street NE;
Soulutions Holistic Center & Institute LLC (Carol R. Mnichowicz & Ivy F. Scholfield), 1700 Tainter St. Suite F.

OPERATORS:

Hannah R. Andersen; Jeff S. Anderson; Chelsea D. Arterberry; Melody M. Bagley; Amanda D. Boguslawske; Angela L. Bowlin; Ila L. Brantner; Richard G. Budinger; Jasen L. Bullock; Matthew J. Burns; Kellen A. Cassellius; Linda M. Chase; Lucas M. Chase; Melanie A. Christiansen; Vicki L. Christenson; Faith E. Cook; Shannon R. Cook; David F. Coulson; Andrea N. Degenhardt; Daniel D. Dicks; Emily I. Dillhunt; Ryan S. Dolan; Megan G. Dorn; Christopher D. Dusek; Nancy J. Duval; Derek W. Fahl; Edward D. Fly; Emily L. Fochs; Billy R. Fransway; Joshua A. Gage; Oliver D. Gaston; Timothy W. Gedatus; Robert W. Giertz; Richard J. Gilgenbach; Joel L. Hansen; Kurt D. Hansen; Trisha J. Heidtke; Lois A. Hintzman; Lisa J. Hoff; Austin J. Horness; Lisa L. Hotchkiss; Elizabeth A. Hoyt; Lori L. Hudson; Jonathan B. Huebener; Hannah E. Jeffrey; Jesse J. Jenson; Grace M. Johnson; Robin J. Johnson; Thomas M. Johnson; Ashlee S. Knight; Ann L. Kohanek; Jennifer L. Kohnke; Bennett D. Kuhlman; Tara L. Lain; Lucy B. Lammer; Patrick J. Larsen; Alyssa L. Lawrence; Patricia M. Luepke; Nicholas T. Norstrud-Mayer; Tyler J. Mathews; Ashley K. Matthews; Jodi E. Merrimack; Amy L. Miller; Andrew G. Mrdutt; Marshall J. Ohvall; Jay S. Ouellette; Linda L. Patwell; Anthony W. Pelke; Tyler J. Polakoski; Melissa A. Prange; Justin J. Price; Charlene K. Radle; Jonas M. Rediske; Laura M. Reiter; David E. Reyes; Matthew J. Roskowski; Marcus S. Sand; Lois L. Schlosser; Tammy L. Schneider; Allison L. Schrader; Selina R. Sillars; Jessica R. Slowiak; Nicole M. Snyder; Kristin K. Stein; Nathan J. Suckerman; Nicholas A. Van Zile; Nicholas H. Williamson; Joseph L. Wood; Rita A. Young.

PUBLIC DANCE PERMIT: Main Street of Menomonie Inc., (location of dance = 4th Street & City Lot 2), Sept. 11, 2014, event = 11th Annual Great Community Cook-Out.

MOTION was made by Riedel, seconded by Luther, and carried on roll call vote with Sutherland opposed to deny the Temporary Class “B” Beer license application from Menomonie High School Sports Complex Group – sub group of Menomonie Area Booster Club for June 20, 21 & 22, 2014 at Menomonie Municipal Airport, 1400 Indianhead Drive during the Menomonie Airfest & Autorama event.

MOTION to convene in closed session under Wisconsin Statutes 19.85 (1) (c), (e), and (g) for the purpose of considering employment, promotion, compensation or performance evaluation data of any public employee over which the government body had jurisdiction or exercises responsibility; deliberating or negotiating the purchase/sale of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session; conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved was made by Cruz, seconded by Erdman, and carried unanimously on roll call vote.

MOTION to return to open session was made by Schwebs, seconded by Luther, and carried unanimously on roll call vote.

No action was taken.

MOTION to adjourn was made by Solberg, seconded by Luther, and carried.

JoAnn L. Kadinger, City Clerk